

Perpetrators and Victims of Torture: Case Reports and Literature Review

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Abstract— Perpetrators of torture (torturers) are forgotten victims. Psychological and physical pain is inflicted deliberately by torturers to control victims or to fulfill certain requirements such as confession. The norm within the criminal justice system is to punish the perpetrators rather than being rehabilitated. According to the UN conventions, impunity is not validated. The author had examined many cases of torture on the hands of police though none of the alleged perpetrators of torture had been medico-legally examined. Similar to victims, it is said that multitude of problems are experienced by the perpetrators as well mainly in the forms of psychological and social aspects. Truly speaking perpetrators should also need to be understood psychologically. There may be numerous reasons why one would become a torturer. However, for a healthy society it is necessary to have healthy people not only physically but also mentally too. The author wishes to discuss the cases that were examined after being tortured and to emphasize more about the perpetrators with the available limited literature. The stake holders, policy makers and legislature should pay attention in perpetrators in order to uplift the society to a better place as a whole.

Keywords— Torturers, Judicial Medical Officer, mentality of the perpetrators of torturer, alternative interrogative mechanisms

Introduction

The literature on the short and long term sequelae of victims of torture is overwhelming. A

person is made helpless, cannot escape and is unable to fight back and surrendered with inhumanity during torture. If one justifies torture, it is highly unjustifiable act because torture includes extreme inhuman acts. Torture is justified as a means of extracting information (Mayerfeld, J., 2020). However, there are enough reasons to prove that torture as an ineffective interrogative tool. It may lead to false confessions. It violates rights and it dehumanizes a victim. The author had examined many patients following torture as a part of routine duties. But the author's intuition goes towards another striking aspect as well. It is true that a victim should be the prime concern within the context of treatments. On the other hand what about the perpetrator? He had essentially violated the law and had been inhuman to a fellow human being. But a society is consists of both individuals namely the victim and the perpetrator. Torture is heinous and it is worthwhile to consider the mentality of perpetrators of such actions (Alkan, 2020). The due punishment is one essential aspect. The rehabilitation of the perpetrators' mind is essential as it would leave repercussions of horror in their minds as well.

Case Reports

The following few cases (torturing by police) with inhuman acts made the author to think deeply about the mentality of perpetrators:

The victim was burnt with hot objects (with a heated iron and with a heated metal stick) leaving many injuries over his body. Extensive areas of contusions were also present. Chili powder had dusted on his face, anus and over

genitalia. The patient was admitted to hospital and treated for long duration for his physical and mental illness in the form of posttraumatic stress disorder (PTSD).

The victim was hung from his wrists after tying the upper limb onto his back (strappado/ corda) along with blunt force trauma. The patient presented with unilateral dislocated shoulder and numbness of that side. He had ended up with easy dysplasia of the shoulder.



Figure 1. The handcuff marks seen on the left wrist.

Repeated beating onto his bilateral soles (falanga) resulting in swelling and the patient had ended up with a chronic pain on walking and even during the rest.



Figure 2. the swollen right heel.

Bilateral hands were beaten and underside of the nails were (hands) pricked with a pin.



Figure 3. Swollen hands with the nail injuries.

An electrical shock had been introduced on the chest and back including all four limbs. It was reported to be very painful together with a tingling sensation. On examination, no marks were revealed.

Discussion

Except for the case 5, all the other cases were related to some kind of theft and the police needed confessions. The fifth case was said to be for seeking revenge. One of the police officers had an extramarital affair with this patient's wife and since he was against on that the police wanted to teach him a lesson to keep him silent. The brutality inflicted as torture on the victims of above was frightening and even difficult to be listened. A literature review was performed on published articles regarding the fate of the perpetrators as to why they have become perpetrators and what are the short and long term effects of them for being torturers (Sanders, 2002). The underlying causes that promotes one to become a perpetrator are many. Some perpetrators believe that they do the right thing, due to official encouragement, being sadistic in a few recognized causes. Only few articles were available related to the perpetrators of torture and those articles had shown that the gravity of the problem and it may at times equal or more than the effect of victims (Costanzo and Gerrity, 2009). Torturers are not

received adequate support to cope their lives and they have been forgotten by the authorities. Two types of torturers had been recognized: the first group is more comfortable with their acts and they think that detainees are inhuman and they deserve to be tortured. The second type don't want to become torturers but they are patriotic and loyal . The torturers themselves get PTSD with their inhuman actions. Not only that they experience guilt immensely but also they may become alcoholics or get addicted to substances to forget the past. Experiencing nightmares, committing suicide, development of mental illnesses, inability to maintain long term relationships are certain other recognized ill effects (Ebner, 2008), (Psychology of torture, n.d.).

Conclusion

One may have a false belief that torturers only harm the victim. But it is not true and the perpetrator also at a great risk of harming himself both socially and mentally in many ways. Since the perpetrator also experiences the simultaneous risks and damages through inhuman acts, perpetrators should not be neglected during the medical management since the society encompasses both the victims and the perpetrators. The author believes that it is mandatory to include the sequelae of perpetrators in the syllabi of armed forces and in the police as it would definitely helpful to realize the short and long term effects of being perpetrators. Advanced technology and other soft skills are needed to be utilized to extract information from suspects rather than using of

inhuman torture methods.

Author Biography

The author believes that the emphasis on the perpetrators of torture is not adequate in the Sri Lankan setup and thorough this extended abstract, she hopes to create a dialogue among the relevant stakeholders.

References

- Alkan, D., 2020. Refiguring the perpetrator in Rithy Panh's documentary films: S-21: The Khmer Rouge Killing Machine and Duch, Master of the Forges of Hell. *Continuum*, 34(2), pp.271-285.
- Costanzo, M. and Gerrity, E., 2009. The Effects and Effectiveness of Using Torture as an Interrogation Device: Using Research to Inform the Policy Debate. *Social Issues and Policy Review*, 3(1), pp.179-210.
- Ebner, M., 2008. Torture and International Law. *Criminal Law Forum*, 19(3-4), pp.575-578.
- Mayerfeld, J., 2020. Torture: An Expert's Confrontation with an Everyday Evil by Manfred Nowak. *Human Rights Quarterly*, 42(1), pp.254-258.
- Sanders, M., 2002. Remembering Apartheid. *diacritics*, 32(3), pp.60-80.
- En.wikipedia.org. n.d. Psychology Of Torture. [online] Available at: <https://en.wikipedia.org/wiki/Psychology_of_torture> [Accessed 31 December 2020].

